

REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 1, 2, 7, 9-16, 21, and 23-31 are pending in this application. Claims 1, 2, 7, 9-16, 21, and 23-31 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. patent 6,865,719 B1 to Nicholas, III (herein "Nicholas"), or in the alternative under 35 U.S.C. § 103(a) as obvious over Nicholas in view of U.S. patent 7,243,130 B2 to Horvitz et al. (herein "Horvitz").

Initially, applicants note the newly applied art to Horvitz, U.S. patent 7,243,130 B2, does not appear to have been officially made of record as that reference has not been listed on a Form PTO-892. Applicants respectfully request that reference be officially made of record by being listed on a Form PTO-892.

Applicants respectfully submit the outstanding rejections are misconstruing the claimed features relative to the applied art. As discussed in further detail below, each of the claims recites an automatic expanding of a size of a current display section if the contents therein have been updated. That is, with respect to Figure 15 in the present specification as a non-limiting example, display data, for example a Web page, may be divided into multiple sections. Certain sections may be minimized, see for example in the state of Figure 15 the Printer Information section 212 and the Document List section 214 are minimized. In an operation realized in the claimed invention, sections currently being displayed such as the Printer Information section 212 and the Document List section 214, and which are currently minimized, can be enlarged in size when information therein is updated. That is, according to the features recited in the currently written claims, a minimized but displayed frame can be automatically enlarged when information therein is updated. If in the example noted above the printer information within the minimized Printer Information section 212 is updated, then that Printer Information section 212 is enlarged, such as shown for example in Figures 10-12.

That operation allows a user to thereby easily recognize that certain information in that Printer Information section 212 has been updated.

The applied art to Nicholas and Horvitz is not directed to any even similar features of *automatically enlarging the size of a current display section that has its information therein updated.*

In contrast to the claimed features, Nicholas discloses an alert message will appear on a display if certain monitored information has reached a certain level, and after that in Nicholas a user must manipulate a display screen to open the desired screen when that message appears on the screen. Nicholas does not automatically expand in size the current display section when information in that current display section has been updated.

With respect to the above-noted features the outstanding Office Action continues to cite Nicholas, and with respect to automatically changing the size of a current display when a prescribed condition is satisfied, the outstanding Office Action indicates that feature is met by Nicholas:

... because Nicholas teaches that the message section can be expanded or enlarged when relevant to the user (col. 2, l. 38-54, especially l. 53-54). Nicholas teaches that the message can be expanded allowing the user to view more details *based on user cursor activity* (col. 11, l. 22-60).¹

In maintaining the rejection the outstanding Office Action also states:

... Nicholas does disclose expanding the size of a display section if the information to be contained in the display section satisfies the prescribed condition and has been updated, because Nicholas teaches that the message program can run in the background of any electronic device to notify the user of information by *showing the notification message when the given event occurs*, i.e., when the information satisfies the prescribed condition and it has been updated (col. 15, l. 8-col. 16, l. 28), including a time critical event, the alert indicating

¹ Office Action of December 4, 2008, page 4, lines 16-19 (emphasis added).

that the information has been updated (col. 15, l. 55-col. 16, l. 8; col. 17, l. 25-49).²

The above-noted grounds for the rejection are believed to clearly indicate Nicholas does **not** in fact meet the claimed features and that the outstanding rejection is not fully considering all the claimed features.

First, applicants submit the claims are clear in indicating the enlarging of the size of the display section takes place ***automatically if the information in that current display section has been updated***. The outstanding Office Action is ignoring the word ***automatically*** in that context as the Office Action itself admits, as noted above, that at most Nicholas discloses expanding a display section “***based on user cursor activity***”. Expanding a display section based on user cursor activity does **not** meet the above-noted features of automatically changing the current display section when information therein has been updated.

Thereby, Nicholas does not disclose or suggest automatically expanding a size of a current display section when information in that current display section has been updated, as recited in the claims as currently written.

With respect to the second basis for the rejection indicated above that “the message program can run in the background of any electronic device” in Nicholas, that statement does not at all appear even relevant to the claimed features. The message program indicated by Nicholas is a program that can provide a ***separate alert*** when a certain condition has been met. That separate alert is not, however, the same as automatically enlarging a size of a current display section that it has its information therein updated. Nicholas provides a separate alert to the user, for example a notification is provided to a user when a prescribed condition occurs, such as when the stock reaches a current price.³ Such a disclosure in Nicholas, however, does not correspond to the claimed features as such a disclosure in

² Office Action of December 4, 2008, page 14, first paragraph (emphasis added).

³ Nicholas at column 15, line 55 to column 16, line 15.

Nicholas merely provides a new alert message on a display when a certain condition is met, and does not automatically enlarge a size of a current display section that has had its information therein updated. Thereby, that further grounds for maintaining the rejection based on Nicholas is contrary to the claims as currently written.

In view of the foregoing comments applicants respectfully submit Nicholas does not anticipate all the claimed features, and thereby the rejection under 35 U.S.C. § 102(e) based on Nicholas is traversed by the present response.

Addressing now the alternative rejection under 35 U.S.C. § 103 of the claims as obvious over Nicholas in view of Horvitz, that alternative rejection is traversed by the present response. More specifically, Horvitz does not provide any disclosures that would cure the deficiencies in Nicholas as Horvitz also does not disclose or suggest any operation of being able to automatically enlarge a size of a current display section that has had its information therein updated.

The outstanding rejection in citing Horvitz states:

While Nicholas discloses the limitations of claim 1 as set forth above, in the alternative, Horvitz discloses an architecture for a notification platform with alerts that notify the user when information has been updated, such as when new results become available for background queries, or relaying changes in location and proximity of colleagues of the user (col. 1, l. 64-col. 3, l. 10). Horvitz discloses that the notification platform will determine when information has been updated and increase the size of the display section to enhance visual recognition, based on a listing of prescribed conditions (Figs. 8, 20; col. 12, l. 23-41, especially l. 40-41; col. 33, l. 32-col. 34, l. 59; col. 35, l. 2-43).⁴

The above-noted grounds for the outstanding rejection is misconstruing the disclosures in Horvitz relative to the claims. Horvitz does not disclose or suggest enlarging a size of a ***current display section***. Instead, Horvitz merely discloses providing a ***new alert***

⁴ Office Action of December 4, 2008, page 5, first paragraph and the paragraph bridging pages 14 and 15.

when a certain condition is met, similarly as in Nicholas providing an indication when a stock has reached a certain price.

At cited column 12, lines 23-41, and especially lines 40-41, Horvitz discloses being able to provide different alert notifications in different devices, such as providing a ring or vibration in a cell phone. That portion of Horvitz also specifically states “such continuous alerting parameters for a mode represents such controls as the volume at which an alert is played at the desktop, rings on a cell phone, and the *size* of an alerting window, for example” (emphasis added). Applicant submits it is clear that disclosure in Horvitz is directed to a size of a *separate alerting window*, and at no point even mentions enlarging the size of a *current display section* when information therein has been updated. Horvitz provides a separate alert message again similarly as disclosed in Nicholas with respect to when a stock reaches a current price. As discussed above with respect to Nicholas, providing such an alert does not correspond to the claimed features of automatically enlarging the size of a current display section that has had information therein updated.

The further cited disclosures in Horvitz at column 30, line 32 to column 34, line 55 and column 35, lines 2-43 are also not at all directed to the claimed features of an automatic enlarging of a size of a current display section that has had information therein updated. Those portions in Horvitz are merely directed to user operation controls of different display windows, which again is not directed to the claimed features noted above.

Thereby, applicants traverse the alternative rejection under 35 U.S.C. § 103(a) of Nicholas in view of Horvitz as Horvitz does not cure the above-noted deficiencies in Nicholas.

In view of the foregoing comments, applicants respectfully submit each of the claims as currently written patentably distinguishes over the Nicholas, and further in view of Horvitz.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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